

REMARKS

Claims 1 – 6 are pending and under consideration in the above-identified application.

In the Office Action, Claims 1 – 6 were rejected.

No Amendment has been entered. Accordingly, Claims 1 – 6 are at issue.

I. 35 U.S.C. § 103 Obviousness Rejection of Claims 1 and 3

Claims 1 – 6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Pollock et al. ("Pollock") (GB 2275654) in view of Ando (JP 2003076967) and Watanabe (US 5679939).

Applicant respectfully traverses this rejection.

The application is the US nationalization stage under 35 U.S.C. 371 of PCT International No. PCT/JP03/13573, which has an International filing date of October 23, 2003, and which claims the benefit of priority of Japanese Application No. JP 2002-339854 filed on November 22, 2002.

The JP 2003 - 076967 A reference to Ando, relied upon by the Examiner for this 35 U.S.C. 103 (a) obviousness rejection of Claims 1 - 6, was published on March 14, 2003. Thus, the Ando reference was not published or patented anywhere before the effective filing date of the instant application. As such, the Ando reference fails to qualify as prior art to the Japanese Patent Application No. 2002-339854. Therefore, the combination of Pollock, Ando and Watanabe do not render Claims 1 - 6 unpatentable under 35 U.S.C. § 103(a).

In order to overcome the date of the Ando reference and in accordance with 37 CFR 1.55, Applicants hereby enclose an English translation of the certified copy of the corresponding Japanese Application No. 2002-339854. In addition, a statement that the English translation of the certified copy is accurate is also enclosed.

Applicants respectfully submit the rejection has been overcome and requests that it be withdrawn.

II. Conclusion

In view of the above amendments and remarks, Applicant submits that Claims 1 - 6 are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

If the claims are not found to be in condition for allowance, the Examiner is requested to contact the undersigned to schedule an interview before the mailing of the Office Action. Any communication initiated by this paragraph should be deemed an Applicant initiated interview.

Respectfully submitted,

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